

July 15, 2022

Via ECF

The Honorable Roanne L. Mann
United States Magistrate Judge
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Joint Status Report: *Suffolk County Water Authority v. The Dow Chemical Co. et al.*,
No. 2:17-cv-6980-NG-RLM

Dear Judge Mann:

On behalf of Plaintiff Suffolk County Water Authority (“SCWA”) and Defendants The Dow Chemical Company, Vulcan Materials Company, and Ferro Corporation, the Parties update below their progress regarding additional discovery items sought in response to the Court’s July 1, 2022 order on Defendants’ motions to compel production of SCWA’s water supply applications and related documents and SCADA database (Dkt. No. 316, “Order”).

1. Water Supply Applications

SCWA identified 25 boxes of hard copy documents that may include water supply applications and related documents for 80 wells at issue. Defendants reviewed the boxes at SCWA’s facilities this week, and are shipping the boxes to their vendor for scanning. The parties are conferring about the status of SCWA’s continuing search for hard copy water supply applications and related documents for the remaining wells at issue, and will report to the Court on the status of these efforts by July 22.

2. SCADA Database

With the assistance of SCWA’s SCADA software developer, Systems Integrated, SCWA has made electronic copies of data recorded in the SCADA database and is shipping hard drives to Defendants. SCWA has agreed to make a Systems Integrated contact available to discuss the technical aspects of the data and transfer with Defendants’ consultant, and Defendants anticipate speaking with Systems Integrated next week upon receiving the hard drives. The parties will report to the Court on the status of the transfer of the data by July 22.

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The Parties will promptly bring to the Court any issues requiring earlier intervention following further good faith conferral.

Respectfully submitted,

/s/ Joel Alan Blanchet

JOEL ALAN BLANCHET
jblanchet@phillipslytle.com
ANDREW P. DEVINE
adevine@phillipslytle.com
PHILLIPS LYTLE LLP
One Canalside
125 Main Street
Buffalo, NY 14203
(716) 847-7050

KEVIN T. VAN WART
kevinvanwart@kirkland.com
NADER R. BOULOS
nboulos@kirkland.com
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
(312) 862-2000
Attorneys for Defendant The Dow Chemical Company

ROBB W. PATRYK
robb.patryk@hugheshubbard.com
FARANAK SHARON TABATABAI
fara.tabatabai@hugheshubbard.com
HUGHES HUBBARD & REED LLP
One Battery Park Plaza
New York, NY 10004
(212) 837-6000
Attorneys for Defendant Ferro Corporation

STEPHEN C. DILLARD, *pro hac vice*
steve.dillard@nortonrosefulbright.com
NORTON ROSE FULBRIGHT US LLP
1301 McKinney, Suite 5100
Houston, Texas 77010
(713) 651-5151

FELICE B. GALANT
felice.galant@nortonrosefulbright.com
NORTON ROSE FULBRIGHT US LLP
1301 Avenue of the Americas
New York, NY 10019
(212) 318-3000
*Attorneys for Defendant Legacy Vulcan, LLC
(formerly known as Vulcan Materials Company)*

/s/ Katie H. Jones

KATIE H. JONES
katie@sheredling.com
MATTHEW K. EDLING
matt@sheredling.com
VICTOR M. SHER
vic@sheredling.com
STEPHANIE D. BIEHL
stephanie@sheredling.com
QUENTIN C. KARPILOW
quentin@sheredling.com
LARKEN YACKULIC
larken@sheredling.com
SHER EDLING LLP
100 Montgomery St. Suite 1410
San Francisco, CA 94104
(628) 231-2500

SCOTT MARTIN
smartin@hausfeld.com
HAUSFELD LLP
33 Whitehall St., 14th Floor
New York, NY 10004
(646) 357-1100

RICHARD S. LEWIS
rlewis@hausfeld.com
HAUSFELD LLP
1700 K Street, NW, Suite 650
Washington, DC 20006
(202) 540-7200

JAMES GOTZ
jgotz@hausfeld.com
HAUSFELD LLP
One Marina Park Drive, Suite 1410
Boston, MA 02210
(617) 207-0600

KATIE R. BERAN
kberan@hausfeld.com
HAUSFELD LLP
325 Chestnut Street, Suite 900
Philadelphia, PA 19106
(215) 985-3270
*Attorneys for Plaintiff Suffolk County
Water Authority*

cc: All Counsel of Record (by ECF)